IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 15162 of 2004

Between:

1 Mohd. Saleem, S/o. Mohd. Ismail,
R/o. 1-9-337/1/2, Vidyanagar,

Adikmet, Secunderabad.
2 Smt. Munawarunnisa, W/o. Mohd. Sadiq,
R/o. 11-23-2109, L.B. Nagar, Warangal.
3 Aga Syed Ibrahim Jazeri,

S/o. Aga Syed Hashim Jazeri,
R/o. 22-8-389, Purani Haveli,
Charminar, Hyderabad.
4 Riyaz Khan, S/o. Mohd. Osman Khan,
R/o. 4-2-82, Near Jamia Masjid,
Quila Guda, Jagtiyal Post, Karimnagar.
5 Muffti Khaleel Ahmed, S/o. Gulam Ahmed,
R/o. 19-2-111/123/1, Darga Dopahad Shah Valli,
Misri Gunj, Hyderabad.

..... PETITIONERS

AND

1. State of Andhra Pradesh,

Rep. by its Principal Secretary,
Minorities Welfare (Wakf.I) Department,

Secretariat Building, Hyderabad.
2 The Commissioner of Police & Executive Officer,

and Ex- Officio Member Secretary and
Convenor, A.P. State Haj Committee, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Certiorari calling for the records from the 1st Respondent relating to the G.O.Ms.No.17 Minorities Welfare (Wakf-I) Department dated 21-07-2004 and quash the same after declaring it as illegal, arbitrary, violative of Principles of natural justice, null and void

Counsel for the Petitioner: MR.MIR MUMTAZ ALI

Counsel for the Respondents: G.P. FOR SOCIAL WELFARE

The Court at the admission stage made the following:

W.P.No.15162 of 2004

ORDER:

It is represented by the learned counsel for the petitioners as well as the learned Government Pleader for Social Welfare appearing for the respondents that the validity of the impugned G.O.Ms.No.17 Minorities Welfare (Wakf.I) Department, dated 21-07-2004 has already been considered by a Division Bench of this Court in W.P.No.13188 of 2004, dated 29-07-2004 in which the impugned G.O. has been set aside. Following the said order, another Writ Petition No.13138 of 2004 has been allowed on 06-08-2004.

Accordingly, this writ petition is allowed and the impugned G.O.Ms.No.17, Minorities Welfare (Wakf.I) Department, dated 21-07-2004 is set aside so far as the petitioners herein are concerned, making it clear that this shall not preclude the respondents to initiate fresh proceedings following due process of law. No order as to costs.

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G. ROHINI, J

25th August, 2004

lsn/Gbs

To

1. The Principal Secretary,
   Minorities Welfare (Wakf.I) Department,

Government of Andhra Pradesh,

Secretariat Buildings, Hyderabad.
2 The Commissioner of Police & Executive Officer,

and Ex- Officio Member Secretary and
   Convenor, A.P. State Haj Committee, Hyderabad.

3. Two CCs to G.P. for Social Welfare, High Court Buildings, Hyderabad (OUT).

4. Two CD copies